

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED	
JUL 29 2005	
CLERK, U.S. DISTRICT COURT By _____ Deputy	

DELMER R. LINDSEY,

§

Plaintiff,

§

v.

§

COMMISSIONER OF SOCIAL SECURITY,

§

Defendant.

§

Civil Action No. 3:04-CV-0279-N**ORDER**

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Accordingly, Plaintiff's *Motion for Summary Judgment*, filed June 7, 2004, is DENIED, Defendant's *Motion for Summary Judgment*, filed August 6, 2004, is GRANTED, and the decision of the Commissioner is AFFIRMED. .

SO ORDERED.

DATED: July 29, 2005.

DAVID C. GODBEY
UNITED STATES DISTRICT JUDGE

